

REMARKS

In response to the Advisory Action mailed December 9, 2005, Applicant respectfully requests reconsideration of all rejections in light of the foregoing amendments to the claims, and the following remarks.

The Examiner has maintained the rejection of claims 3 and 17 as being indefinite under 35 USC §112, second paragraph. Applicant is resubmitting the amendments made in his response of December 1, 2005, with the exception that claims 3 and 17 have been cancelled, in an effort to expedite prosecution of the subject application. As a result, claims 1-2, 4-16, and 18-27 are submitted for re-examination.

Claims 1-27 stand rejected under 35 USC §112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which Applicant regards as the invention.

Claim 1 has been amended to specify that in step d) tail gas and fuel gas are being recycled from said hydrogen separation system and from said carbon monoxide separation system respectively. Applicant submits that the deletion of the word "the" from before both "tail gas" and "fuel gas" makes the claim definite because these two terms are being introduced for the first time in claim 1.

Claim 3 has been cancelled.

Claim 14 has been amended to specify that in step d) tail gas is recycled from said hydrogen separation system. Applicant now claims that in step d) the improvement comprising recycling tail gas from said hydrogen separation system. Tail gas is first introduced as a term in this claim in step 14 and by deleting "the" Applicant contends that the subject claim is now definite.

Claim 16 has been amended to state that methane is recycled from said carbon monoxide separation system. Applicant has also removed "the" from before "methane" as this term is first introduced in this claim as being recycled from said carbon monoxide separation system.

Claim 17 has been cancelled.


Claim 27 has been amended to claim that the hydrogen is removed from said feed gas. Applicant has deleted "stream" as this term is not present in claim 14.

Applicant submits that these amendments are all supported by the specification as filed and that the claims particularly point out and distinctly claim the invention. Reconsideration and reversal of this rejection are respectfully requested.

For these reasons, Applicant respectfully submits that the claims define patentable subject matter and are in condition for allowance. Prompt favorable action to that end is accordingly solicited.

The Examiner is invited to call the undersigned should any issue arise during the reconsideration of the subject application.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Philip H. Von Neida", is written over the typed name.

Philip H. Von Neida
Attorney for Applicant
Reg. No. 34,942
(908) 771-6402

Date: December 19, 2005
The BOC Group, Inc.
Legal Services - Intellectual Property
575 Mountain Ave.
Murray Hill, NJ 07974